IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1344 OF 2006

Shri Chandrakant @ Ramchandra
Ambadas Mane & Anr. ....Applicants.

V/s

State of Maharashtra .....Respondent.

Mr. Kuldeep Patil for the applicants.
Ms. R.M. Gadhvi, APP for the State.

CORAM: V.M. KANADE, J.

DATE: 12th April, 2006

P.C.

1. Heard the learned counsel for the applicants and the learned APP for the State.

2. The applicants have an apprehension that they are likely to be arrested in connection with C.R. No. 109 of 2006 registered with the Nigdi Police Station for the offence punishable under sections 143, 147, 148, 149, 324, 354, 452, 435 of the Indian Penal Code.

3. The applicant No.1 is an elected Councilor of Pimpri Chinchwad Municipal Corporation. He was elected from Ward No.34 as a Corporator. The applicant No.2 is the younger brother of the applicant No.1 and he is in the publishing business and is also

a journalist. Both these applicants do not have any other antecedents. The applicants have filed various cases against the complainant who is a notorious criminal and a history sheeter and as a result of the complaint which was filed by the present applicants the police had, on number of occasions, destroyed the illegal dens of illicit liquor of the complainant. The learned Counsel appearing on behalf of the applicants invited my attention to the number of cases pending against the complainant and his other associates. He has also invited my attention to the alleged assault by the applicants on the complainant. The medical certificate discloses that there were multiple scratch wounds, though the complainant had alleged in his statement that he was assaulted with the lethal weapon.

4. Considering the rivalry between the applicants and the complainant and the fact that the complainant is a notorious criminal, in my view, custodial interrogation of the applicants is not necessary in view of the nature of the offence which is alleged to have been committed by the applicants. The applicants, under these circumstances, in the event of their arrest in connection with C.R. No. 109 of 2006 registered with the Nigdi Police Station for the

offence punishable under sections 143, 147, 148, 149, 324, 354, 452, 435 of the Indian Penal Code, be released on bail in the sum of Rs 5000/- each with one or two sureties in the like amount each. The applicants shall report to the concerned Police Station as and when called.

5. Application is accordingly disposed of.

V.M. KANADE, J.